

AMENDED

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office FEB 26 1992

Returned to applicant for correction

Corrected application filed MAR 12 1992 Map filed MAR 12 1992 under 57238

The applicant Brady Power Partners
6200 S. Syracuse Way, Suite 125 of Englewood
Colorado, 80111
herchy make application for permission to change the

point of diversion of all (5.00 CFS) and place of use.

of water heretofore appropriated under Permit 49946

Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.

1. The source of water is underground (geothermal reservoir)

2. The amount of water to be changed 3.41 cfs

3. The water to be used for industrial and domestic (geothermal power)

4. The water heretofore permitted for industrial and domestic (geothermal power)

5. The water is to be diverted at the following point Production Well 56-1, SW/4 NW/4 SE/4,

Section 1, T22N, R26E, having a bearing S15°06'56" W, 1986.48' from S/4 corner Section 1.

6. The existing permitted point of diversion is located within NW1/4 SE1/4 section 1, T22N, R26E,

MDB&M, located N58°29'40" E, 4169.19 feet from the NW corner Section 12, T22N, R26E, MDB&M

7. Proposed place of use Brady Power Partners Geothermal Power Plant, SW/4

SW/4 SE/4, Section 1, T22N, R26E

8. Existing place of use within the SW1/4 NW1/4 section 12, T22N, R26E, MDB&M

manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from January 1 to December 31 of each year.

10. Use was permitted from January 1 to December 31 of each year.

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Geothermal production wells and

piping to geothermal power plant facilities and injection wells.

12. Estimated cost of works production wells/wellfield: \$8 million.

13. Estimated time required to construct works wellfield: 10 months (August, 1991 - June, 1992).

4 months (June, 1992).

14. Estimated time required to complete the application of water to beneficial use _____
15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

By ~~s/o Martin Booth~~
 G. Martin Booth III, Agent
 251 Ralston Street
 Reno, NV 89503

Compared cc/ jjs ap/se

Protested 6/5/92 by; Geothermal Food Processor (Gilroy Foods, Inc.):

Pro. overruled,
 Ruling No. 3894

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions: This permit to change the point of diversion and place of use of the geothermal fluid heretofore granted under Permit 49946 is issued subject to the terms and conditions imposed in said Permit 49946 and with the understanding that no other rights on the source will be affected by the change proposed herein.

This permit is issued subject to existing rights. It is understood that the amount of geothermal fluid herein granted is only a temporary allowance and that the final right obtained under this permit will be dependent upon the amount actually placed to beneficial use. It is also understood that this right must allow for a reasonable decrease of fluid pressure and heat. The well shall be equipped and maintained to prevent any waste of the geothermal fluid. Accurate measurements must be kept of discharge of the production well and the amount of fluid injected into the injection well to determine the total amount of fluid diverted and consumed for a beneficial use.

The production and injection well are to be cemented from the producing levels to the surface to protect fresh water zones. This permit is issued subject to the condition that only geothermal fluids are to be diverted and used beneficially for heating purposes and fresh, cold water aquifers are not to be diverted. The used geothermal fluids are to be returned to the source via the injection well. The issuance of this permit does not waive the requirements that the permit holder obtain (CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 3.41 cubic feet per second.

Work must be prosecuted with reasonable diligence and be completed on or before June 26, 1994

Proof of completion of work shall be filed before July 26, 1994

Application of water to beneficial use shall be made on or before June 26, 1997

Proof of the application of water to beneficial use shall be filed on or before July 26, 1997

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed AUG 17 1994

Proof of beneficial use filed JUL 23 1998

Cultural map filed

Certificate No. 15025 Issued OCT 08 1998

Abrogated By 57812T 0.167 exp 2-1-93

Abrogated By 5919DT 0.167 exp 3-95, part. 61098 T 0.167 exp. 6-6-96

IN TESTIMONY WHEREOF, I, R. L. MICHAEL TURNIPSEED, P.E.,
 State Engineer of Nevada, have hereunto set my hand and the seal of my
 office, this 26th day of June

A.D. 19 92

State Engineer

ATTACHMENT
ITEM 15:

This geothermal wellfield will contain 8 or more production wells which will supply geothermal heat to a power generating facility at Bradys Hot Springs. The geothermal brine will be produced under eight existing water permits which allow a combined flow rate of 33.64 cfs. The eight existing water permits also allow a maximum of 19,571 acre-feet per year of water production, with water consumption limited to 4279 acre-feet per year. Total flow rates, water production and consumptive use will not exceed the combined amount allowed under the eight water permits, nor will flow rates for any one well exceed the allowed 5 cfs. The eight existing water permits are No.s 47166, 48675, 48676, 49944, 49945, 49946, 51592 and 51593.

(PERMIT TERMS CONTINUED)

other permits from State, Federal and local agencies. A detailed log on the injection well and/or other analyses of the system used for returning the used geothermal fluids to the source must be submitted together with the Proof of Completion.

An annual report for this well must be filed under this permit describing the amount of geothermal fluid diverted and consumed to a beneficial use for the calendar year. This report must detail the amount of fluid produced and injected.

The total combined withdrawal of the geothermal fluid under Permits 57238 through 57245, inclusive, and 57286 through 57297, inclusive shall be limited to 33.64 cfs and not to exceed 19,572 acre-feet per year withdrawal but the total consumptive use of the geothermal fluid is limited to 4,276 acre-feet per year. The State Engineer does not waive the right to make a determination of incidental fluid losses at any time and impose additional conditions thereto. This permit is further issued subject to the provisions of NRS 533.372(1) and with the understanding that the power or energy generated by the beneficial use of this water or steam is subject to recapture and use within the boundaries of the State of Nevada when the need arises.

This permit is further issued subject to the agreements executed by and between Gilroy Foods, Inc. and Brady Hot Springs Geothermal Associates dated December 18, 1987, Gilroy Foods, Inc. and Nevada Geothermal Power Partners, Limited Partnership dated February 1, 1991 and the State Engineer's Ruling No. 3894 dated June 26, 1992.

